

CHAPTER 1 - INTRODUCTION

1-1. Purpose. This pamphlet establishes the guidance for navigation and dredging operation and maintenance (O&M) activities of the U.S. Army Corps of Engineers and supplements Engineer Regulation (ER) 1130-2-520. If any conflict exists between this guidance and the Federal Acquisition System, the latter governs.

1-2. Applicability. This guidance applies to all USACE commands having responsibility for civil works functions.

1-3. References. See Appendix A.

1-4. Glossary.

a. Active CERF Fleet. Consists of those contractor's hopper dredge(s) which are currently performing under contracts of the U. S. Army Corps of Engineers and those dredges whose owners have completed a BOA for Corps of Engineers Reserve Fleet (CERF), have not completed a notice of non-availability, and have not forwarded the notice to HQUSACE, CECW-OD. These dredges are available, operational, and ready for use.

b. BOA Contracting Officer. The person executing the BOA on behalf of the government. Only this individual or successor has the authority to modify the terms and conditions of the basic ordering agreement. The Commander of the New Orleans District is the designated Contracting Officer for executing the BOA for CERF.

c. CERF Basic Ordering Agreement (BOA). A BOA is a written instrument of understanding with a method for determining prices for service. The BOA provides for an assured response to emergency and national defense dredging requirements through the vehicle of delivery orders. A BOA is not a contract.

d. CERF Emergency. A determination by the Director of Civil Works for CONUS dredging operations or the Commander, USACE for OCONUS dredging operations that Federal dredges are not available or suitable, that regular contractual procedures are not practical, and that CERF dredges must be activated.

e. CERF Fleet. Hopper dredges, whose owners have executed a current BOA for emergency and national defense dredging, and are not currently under an ongoing Federal dredging contract, and have not completed a notice of nonavailability. These dredges are available, operational, ready for use.

f. CERF Participating Contractors. Contractors who have voluntarily entered into it possess current basic ordering agreements providing for the placement of orders for emergency and national defense dredging requirements and have not notified HQUSACE, CECW-OD of unavailability.

g. CONUS. The 48 contiguous states.

h. Emergency Dredging. Dredging performed in response to unexpected situations requiring an immediate action to protect property or human life or to maintain or restore

navigation or flood control channels to provide for safe and efficient usage of the waterways, within the 48 contiguous States, Alaska, Hawaii, Puerto Rico, the Virgin Islands, or U. S. Trust Territories.

i. Hazardous Waters. For the purpose of this regulation, those waters in which turbulence and/or underlying currents create a potentially life-threatening environment.

j. Hydraulic Line. The line upstream and downstream of a structure established by hydraulic data and procedures described in Appendix AA.

k. Minimum Federal Fleet. Federally owned dredges.

l. National Defense Dredging. Dredging performed in response to requests from the Office, Secretary of Defense (OSD) or any other Federal entity related to defense needs.

m. OCONUS (Outside CONUS). Includes Alaska, Hawaii, Puerto Rico, the Virgin Islands, or U. S. Trust Territories.

n. Operational Considerations. Those aspects outlined in Appendix AB to be considered when determining if the Restricted Area boundary should be set farther from the structure than at the Hydraulic line.

o. Ordering Contracting Officer. The person executing orders under the terms of the BOA at U. S. Army Corps of Engineers Districts and Operating Divisions after appropriate approval by the Commander, USACE for OCONUS or the Director of Civil Works for CONUS.

p. Physical Barriers. Barriers which are structural in nature and placed in such a manner as not to allow entrance into a restricted area.

q. Restricted Area. For the purpose of this regulation, that area of water adjacent to civil works structures, as established by the hydraulic line plus operational considerations, that is off limits to the public.